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10 Attorneys for Plaintiff  
11 KEN KUNZLER

12 UNITED STATES DISTRICT COURT  
13 NORTHERN DISTRICT OF CALIFORNIA  
14 SAN FRANCISCO DIVISION

15 KEN KUNZLER,

16 Plaintiff,

17 vs.

18 UNITED AGRI PRODUCTS, INC, UAP  
19 DISTRIBUTION, INC., et al.,

20 Defendants.

CASE NO. 07-03555 EMC

STIPULATION OF DISMISSAL OF PARTY  
(as to Defendant United Agri Products only)

21 IT IS HEREBY STIPULATED by and between the parties to this action through their  
22 attorneys that Defendant United Agri Products, Inc. is hereby dismissed from this action without  
23 prejudice pursuant to FRCP 41(a)(1).

24 DATED: October 25, 2007

/S/

THOMAS S. BRIGHAM  
Attorney for Plaintiff  
KEN KUNZLER

25 DATED: October 25, 2007

/S/ Ross W. Johnson (with consent)

ROSS W. JOHNSON  
Attorney for Defendant  
UNITED AGRI PRODUCTS, INC.

26 IT IS SO ORDERED

IT IS SO ORDERED  
AS MODIFIED

  
Judge Edward M. Chen

27 Edward M. Chen  
28 U.S. Magistrate Judge

STIPULATION OF DISMISSAL